MISSOURI COURT OF APPEALS
WESTERN DISTRICT

COMPLETE TITLE OF CASE:

AARON M. MALIN,

Appellant

v.

COLE COUNTY PROSECUTING ATTORNEY.

Respondent

DOCKET NUMBER WD83774

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

DATE: July 27, 2021

Appeal From:

Circuit Court of Cole County, MO
The Honorable Patricia S. Joyce, Judge

Appellate Judges:

Division One
Anthony Rex Gabbert, P.J., Edward R. Ardini, Jr., and Thomas N. Chapman, JJ.

Attorneys:

David Roland, Mexico, MO	Counsel for Appellant
Anthony Rothert, St. Louis, MO	Co-Counsel for Appellant
Gillian Wilcox, Kansas City, MO	Co-Counsel for Appellant
Jessica Steffan, St. Louis, MO	Co-Counsel for Appellant
Kayla Deloach, St. Louis, MO	Co-Counsel for Appellant

Attorneys:

Michael Berry, Jefferson City, MO	Counsel for Respondent
Brittany Briggs, Jefferson City, MO	Co-Counsel for Respondent

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MISSOURI APPELLATE COURT OPINION SUMMARY

MISSOURI COURT OF APPEALS
WESTERN DISTRICT

AARON M. MALIN, Appellant,
v.
COLE COUNTY PROSECUTING ATTORNEY, Respondent.

WD83774 **Cole County**

Before Division One Judges: Gabbert, P.J., Ardini, and Chapman, JJ.

Aaron Malin appeals a judgment of the Circuit Court of Cole County denying his Motion for Civil Contempt, which requested that the Cole County Prosecuting Attorney be found in contempt for failing to comply with an earlier judgment that required the Prosecutor to search for and produce records responsive to records requests made by Malin. He raises four points on appeal. The judgment is affirmed.

AFFIRMED.

Division One holds:

1. Malin's first two points fail to comply with the requirements of Rule 84.04(d), preserve nothing for review, and are denied. Even if we were to attempt, *ex gratia*, to address these points on the merits, these points could only be understood as challenging an action that the trial court did not take.

2. Malin's third point is denied as it attempts to challenge the language of the trial court's judgment without properly preserving this challenge.

3. The trial court did not err in declining to award Malin his attorneys' fees for his unsuccessful efforts in prosecuting the motion for contempt.

Opinion by: Thomas N. Chapman, Judge July 27, 2021

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